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Elk Ridge Ski Area Permit Issuance Draft Environmental Assessment

Williams Ranger District, Kaibab National Forest, Coconino County, Arizona
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**Elk Ridge Ski Area Permit Issuance
Draft Environmental Assessment
Williams Ranger District, Kaibab National Forest
Coconino County, Arizona**

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Change to Draft Document

Due to sensitive information, figure 3 has been redacted. Figure 3 is still referenced throughout this document. The only change to this document was removing the figure.

Purpose and Need

The purpose of this project is to issue a Winter Resort Term Permit to reflect a change in ownership of the Elk Ridge Ski Area (Figure 1 – Elk Ridge Ski Area vicinity map), which was purchased by Mountain Capital Partners, doing business as, Elk Ridge Recreation I, LLC (ERRI) in December 2017. The permit would be issued to the new owner who would assume the current operations. ERRI operation of the Elk Ridge Ski Area would provide recreational opportunities to the public, which would complement and support local economies and tourism while providing for a sustainable recreation opportunity on the Williams Ranger District. This is consistent with the Kaibab National Forest (NF) Land and Resource Management Plan (Forest Plan) (LRMP; USDA Forest Service 2014), which states, “Existing recreation term permits such as golf courses, ski lodges, and resorts adequately serve forest visitors so that new ones are not needed.” (USDA Forest Service 2014, Pg. 80).



Figure 1 Elk Ridge Ski Area vicinity map.

Proposed Action and Alternatives

This Environmental Analysis (EA) documents the analysis of the proposed action. No other action alternatives were identified as needed or feasible, and were not analyzed. The no action

alternative has not been considered or analyzed, because the approval process for the new owner's application for the Winter Resort Term Permit documents that their proposal was in compliance with the requirements of special uses screening criteria (36 CFR 251), and thus, there was no rationale for denying the permit application. Further, not issuing the permit to the new

owner would not comply with the Forest Plan direction for existing recreation term permits (LRMP Pg. 80). Mitigation measures associated with the proposed action can be found in the project record and on the project website.

Proposed Action

The Kaibab NF would issue a Winter Resort Term Permit, with a term of up to 40-years for the Elk Ridge Ski Area, to the new owners, ERRI. The new owners would be issued a permit under the existing Master Development Plan (MDP; USDA Forest Service, Exhibit B, Master Development Plan, Elk Ridge Ski Area, 2006a). Many of these actions are deemed necessary for the cleanup and maintenance of the site as well as for public safety. All activities would be within the constraints of the original permit (USDA Forest Service, Exhibit C, Site Development Schedule, Elk Ridge Ski Area, 2006b; and USDA Forest Service, Exhibit D, Elk Ridge Ski Area, Road Maintenance Specifications, 2006c)), no new or additional activities would take place. To address the concerns brought forward about water for operation of the ski area, the City of Williams stated in a letter dated February 28, 2019, that they would provide 30,000 gallons of water per week during peak operations for the ski area.

Actions that would be Authorized Under the Existing Ski Area Master Development Plan for the Winter Resort Term Permit

Proposed actions would be focused on maintenance, clean-up and repair needed to achieve short-term start-up for the same ski area operations as permitted under the winter resort permit for the previous owner. Repairs would include replacement of inoperable, defunct or outdated equipment/infrastructure that does not meet current safety standards. Maintenance and clean up would include earthwork for erosion control, and possible excavation to remediate hazmat concerns if found with fuel and oil leaks from old equipment. All activities (except work on the access road) would occur within the existing ski area permit boundary (USDA Forest Service, Exhibit F, Ski Area Term Special Use Permit Boundary map, Elk Ridge Ski Area, 1997).

1. Replace the lodge wood decking which is deteriorated, to meet safety code, within the existing footprint, subject to Forest Service (FS) approval of design prior to replacement.
2. Replace the existing generator, which is the sole source of power for the ski area, and is of insufficient size and design to power all operations and keep restaurant refrigerators running 24/7. The new and larger generator is needed for food safety and area operations.
 - a. This new generator may be placed in a different location with trenching to lay new underground power lines, subject to FS approval of design prior to replacement.
3. Replace the deteriorated wood in the existing tubing course, within the existing location and current footprint, for safety, subject to FS approval of design prior to replacement.
4. Replace the existing potable water cistern because it is not of sufficient size (e.g. 500 gallons) to support current operations at the restaurant/lodge.
 - a. It is estimated that a minimum of a 1500 gallon tank is needed based on 4 gallons per person per day, multiplied by a maximum of 340 people at one time (250 skiers plus 60 snowplay guests plus 30 ski area employees).
 - b. The new potable water storage structure may be a cistern or an above ground tank, and may be placed in the same location as existing or a new location, subject to FS approval of design prior to replacement
5. Complete earth work/excavation to create water diversion structures, as well as other erosion control measures to address erosion problems with runoff from the existing ski runs such as; gullying and sediment deposits impacting the lodge and parking area.

- a. Erosion control design plan would be subject to FS approval prior to commencement of work.
- 6. Complete earth work/excavation to create water diversion structures, replace culverts, and resurface the access road, as well as other possible erosion control measures to address are erosion problems with the road accessing the ski area.
 - a. Road work design plan would be subject to FS approval prior to commencement of work.
 - b. FS may provide permittee with a free use permit for road aggregate material from Dead Horse pit or Jackass pit. The FS would require an estimate of material quantity from permittee.

Additional Actions that would be Authorized Through the Winter Resort Term Permit

- 1. Replace the existing and defunct surface lift (rope tow) because it is inoperable and does not meet current safety standards.
 - a. Authorization to replace the current rope tow lift with a magic carpet within the current footprint of the existing surface lift. The new lift design would be subject to FS approval prior to placement
 - b. Replacement of the rope tow would entail complete removal of the defunct ski lift infrastructure, including towers, engine, operator shed, etc.; then installation of the magic carpet may proceed.
 - c. For the rope tow replacement, there would be a need for deferred maintenance of tree and shrub removal, because vegetation has grown into the existing ski lift corridor; vegetation may also be cut if needed for adequate width to meet safety standards with a new lift.
 - d. Visitor capacity would remain the same, at a maximum of 250 skiers and 60 snowplay guests at one time, as specified in the existing permit; capacity would be constrained by ticket sales, available parking, food services, etc.
- 2. Placement of “neveplast” on the existing ski run; this artificial snow material surface would allow for skiing/boarding when there is not sufficient natural snow to operate
- 3. Operation of a snowcat for vertical transportation of skiers and boarders, to be temporarily used in lieu of the existing inoperable poma lift.
 - a. Would require a designated route for snowcat travel, with a snowmobile escort to ensure skier safety.
- 4. Remove various pieces of defunct and inoperable equipment, such as old snowmobiles, snowcats, etc., to be completed as part of the area clean up, in accordance with environmental site report, within the first year following permit issuance.
 - a. If leaked fuel, oil, or other fluids are found, then clean up, would include hazmat remediation, which would entail excavation and soil removal

Actions Not Authorized Under the Existing Ski Area Master Development Plan for the Winter Resort Term Permit

- 1. Replacement of the poma lift.
- 2. Grading and reshaping of the ski area runs for purposes other than erosion control.

Environmental Effects

This section summarizes the potential effects of the proposed action for each affected resource. All specialist input and their associated literature cited are incorporated by reference and are available at the Kaibab NF Supervisor's Office upon request.

Wildlife

Existing Condition

The U.S. Fish and Wildlife Service's (USFWS) Environmental Conservation Online System – Information, Planning and Conservation (ECOS-IPaC) system was accessed on September 5, 2019, and identified three federally listed threatened species that could potentially be found in the action area: Mexican spotted owl (MSO; *Strix occidentalis lucida*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) and the northern Mexican gartersnake (*Thamnophis eques megalops*), in addition to critical habitat for the Mexican spotted owl.

Both the western yellow-billed cuckoo and northern Mexican gartersnake are riparian habitat obligates (ECOS-IPaC). Although montane riparian habitat (Douglas fir, maple and bracken fern) exists in nearby Cataract Canyon, there is no suitable riparian habitat in the action area that could support yellow-billed cuckoos (Hughes 2015) or northern Mexican gartersnakes. Western yellow-billed cuckoos in Arizona prefer large swaths of open, lower elevation riparian woodlands comprised of willow, Fremont cottonwood, alder, walnut, box elder, and dense mesquite, or sometimes orchards (Hughes 2015). Dr. Erika Nowak, herpetologist at the Colorado Plateau Research Station, was consulted about the likelihood of northern Mexican gartersnakes occurring nearby Bill Williams Mountain, in Lost Canyon. It was her opinion that sites above the Mogollon Rim are not within the known range of the species (pers. com., July 24, 2019). Thus, neither the western yellow-billed cuckoo nor the northern Mexican gartersnake are known to occur within the project action area for the Elk Ridge Ski Area .

Records of MSO detections on Bill Williams Mountain date back to 1978 and are summarized by Waters (2008). The Forest Service has no record of MSO nesting on the mountain, but an adult MSO with a juvenile were observed near Bixler Saddle on the west side of the mountain in 1983, indicating MSO reproduction has occurred on the mountain in the past. Based on those detections and the results of surveys in the early 1990s, FS and USFWS biologists defined the boundaries of the Bill Williams MSO protected activity center (PAC) in 1995.

Per Waters (2008), MSO were detected intermittently on Bill Williams Mountain from 1978 – 1994. No MSO were detected between 1994 and 2008, though surveys were conducted in only 10 of those 16 years. Between 2009 and 2018, surveys were conducted in 2011, 2013-2016 and 2018, with MSO detected in 2014 and 2016. On April 30, 2019 a FS silviculturist in the field incidentally observed a pair of owls perched together in a tree near the ski area. The next day, FS biologists followed up; the birds were still at the site and were identified as MSO. Subsequent surveys to protocol (USFWS 2012) over the next several weeks documented MSO nearby (in Cataract Canyon and at the Benham Trailhead). On August 23, 2019, an FS Fire Effects Specialist reading plots on Bill Williams Mountain observed an MSO pair perched together about 0.3 miles from the original sightings; (Figure 2).



Figure 2 Photo of Mexican spotted owl pair in the Cataract Protected Activity Center.

FS wildlife specialists met with USFWS biologist, Shaula Hedwall, on June 20, 2019. Based on the locations of the MSO detections in 2019 and LiDAR images to determine the best potential habitat, these biologists revised the Bill Williams PAC into two PACs – the Cataract and Bixler PACs (Figure 3). Based on MSO movements and assessment of habitat, two core areas were identified in the Cataract PAC. The Cataract PAC lies adjacent to, and even overlaps the Elk Ridge Ski Area permit boundary (Figure 3). The overlap of the Elk Ridge Ski Area permit boundary with the Cataract PAC consists of 9 acres in the PAC, and includes 6.5 acres in one of the cores.

Effects of the Proposed Action

Potential direct and indirect effects of the proposed action on MSO are described in the draft Biological Assessment (Kline 2019). The primary potential effects are visual and auditory disturbance of individual spotted owls due to noise, lights, and human activity. Disturbance associated with the proposed authorized activities, and connected actions (i.e., noise, lights, and human activity) may adversely affect spotted owls in the Cataract PAC by disrupting normal foraging, and reproductive behaviors and causing owls to avoid otherwise suitable spotted owl habitat located within the project area.

The proposed action would not affect MSO Critical Habitat or protected habitat because proposed authorized activities would not affect any of the primary constituent elements identified in the final MSO Critical Habitat rule/conservation measures. There could be loss of potential foraging habitat on the beginner's ski slope from Neveplast covering.

Conclusion

The FS has determined that this action would result in a May Affect, Likely to Adversely Affect determination for MSO because of potential disturbance to a pair of owls recently detected within the Cataract PAC, which is adjacent to, and even overlaps the Elk Ridge Ski Area.

Implementation of conservation measures would protect MSO critical and protected habitats (i.e., the Cataract MSO PAC), but may negatively affect MSO Recovery Habitat. Thus, this action May Affect, but is Not Likely to Adversely Affect MSO Critical Habitat.

Cultural and Heritage Resources

Existing Condition

The ski facilities have been determined ineligible for listing on the National Register of Historic Places (NRHP), and no archaeological sites are located within the boundaries of the ski area. Bill Williams Mountain was identified in the early 1980s as a Traditional Cultural Property (TCP) for six tribes. A Determination of Eligibility (DOE) was drafted in 1998, but it does not appear that the DOE was ever consulted on with the Arizona State Historic Preservation Office (AZSHPO) nor the Keeper of the NRHP. Therefore, for purposes of this undertaking, the Bill Williams Mountain TCP is considered eligible for inclusion on the National Register pursuant the 2004 R3 Programmatic Agreement.

Effects of the Proposed Action

Tribal consultation for this undertaking indicated that the historic ski facility does affect the cultural values ascribed to the TCP, but that the proposed issuance of the permit to conduct basic maintenance would not constitute new effects to the TCP. Therefore, the Kaibab NF has determined that this undertaking meets the criteria of No Adverse Effect; that tribal consultation should continue throughout the length of the permit; and that a DOE be completed as part of the evaluation for the next phase of the ski area development.

Conclusion

In a letter dated May 7, 2019 from the AZSHPO states that the AZSHPO concurs that a “No Action Effect” finding is appropriate for the current undertaking, which does not include any operational or management changes.

Botany and Invasive Species

Existing Condition

Currently within the Elk Ridge Ski Area project area there are limited botany and invasive species surveys. This includes federally threatened and endangered species, region 3 FS sensitive species, and invasive plant species. Botany surveys conducted in 2017 did not detect the presence of culturally significant plants (e.g. bugbane and osha root) in the Elk Ridge Ski Area footprint.

Effects of the Proposed Action

The botany and invasive species effects analysis pertaining to the Elk Ridge Ski Area Permit Issuance Project considered all potential effects to the botany and invasive species resources. Activities for start-up, as stated within the proposed action, would have no effect on federally threatened, endangered proposed or candidate species or habitat. The proposed activities would not adversely affect potential habitat for FS sensitive plant species. Short-term minor impacts to the botany resource would occur as a result of the proposed action including damage to, or loss of individual plants. To mitigate these effects, surveys for these species would be conducted prior to the start of ground disturbing activities, and when possible, damage to individual plants would be avoided. By following these mitigation measures, there would be no affect to FS sensitive plants species and would not trend these species towards listing. Potential direct, indirect, and cumulative effects to those species that may occur in the project area were taken into consideration.

Currently, there is one known occurrence of an invasive species in the project area, which is a small population of dalmation toadflax at the ski area parking lot. This population of dalmation toadflax is currently being treated by methods authorized in the Record of Decision, Final

Environmental Impact Statement for Integrated Treatment of Noxious or Invasive Weeds (USDA Forest Service 2005). Direct, indirect, and cumulative effects from the proposed action may allow for the introduction of invasive species to the project area from ground disturbing activities and the use of heavy machinery. The proposed activities may allow new populations to establish within the project area in the short-term, however, the long-term impact to this resource would be negligible to none. To prevent the introduction of invasive species, best management practices (BMPs) from Appendix B of the 2005 weeds EIS would be followed, including the use of weed washing station on site for the cleaning of all vehicles used in the project area prior to and after traveling and working in the project area. Annual monitoring of the project area for up to 5 years after project implementation has been completed, and treatment of any new invasive species populations that may result from project implementation would be conducted.

All past, present and reasonably foreseeable activities were considered within the cumulative effects analysis. Vegetation management activities on Bill Williams Mountain are likely to occur in the foreseeable future in areas adjacent to the Elk Ridge Ski Area.

Conclusion

The proposed action would comply with botany and invasive species resource guidelines for management as described in the Forest Plan for the Kaibab NF. The proposed activities would not adversely affect potential habitat for threatened, endangered or FS sensitive species; management actions would not trend any species towards listing. This project would have negligible to no effect on invasive species within the project area. Mitigation measures associated with the activities for this project are listed in the document labeled *Mitigation Measures* located in the project record and on the project website.

Soils and Watershed

Existing Condition

The Elk Ridge Ski area located on the Williams Ranger District of the Kaibab NF exists within the Williams Municipal Watershed. Current conditions are documented in “Site Investigation of Elk Ridge Ski and Outdoor Recreation Area” report (USDA-Forest Service, 2010). Field reconnaissance was conducted by forest watershed personnel during 2010 and more recently by Micah Kiesow (Soil Scientist) in 2018. Current conditions are directly associated with several areas of concern relating to soil and watershed resources including active soil erosion, localized petroleum hydrocarbon contamination, discarded trash and inadequately maintained road conditions on forest service road (FSR) 106. These areas of concern contribute to an increased risk of degraded surface water quality, soil contamination, poor road condition and an impairment of soil condition through decreased stability.

Effects of the Proposed Action

The soil and watershed effects analysis pertaining to the Elk Ridge Ski Area permit issuance considered all potential effects to soil and watershed resources. Activities for start-up, as stated within the proposed action, would mitigate existing areas of concern (i.e. risks to soil and watershed resources). Short-term minor impacts to soil and watershed resources would occur as a result of the proposed action including increased soil disturbance, erosion, and sedimentation. These impacts would be limited in duration (time needed to address maintenance, clean-up and repair) and extent (Elk Ridge Ski Area footprint). Long-term effects including increased site stability, improved road condition, reduced sedimentation and contamination would be expected to result from the proposed activities.

All past, present and reasonably foreseeable activities were considered within the cumulative effects analysis. Vegetation management activities on Bill Williams Mountain are likely to occur in the foreseeable future in areas adjacent to the Elk Ridge Ski Area.

Effects from vegetation management activities would be reduced as the canopy is opened allowing for increased growth within the herbaceous and shrub component over time. An increase in the herbaceous and shrub canopy and ground cover conditions would improve soil and watershed conditions through accumulation of above and below ground biomass, root distribution, and soil surface cover. Reduction of tree canopy would reduce the threat of high severity wildfire that could cause accelerated erosion, soil sterilization, increased runoff, and a reduction in soil productivity. When combined with mechanical vegetation management activities the proposed action would result in minimal short-term cumulative effects to soil and watershed resources.

Conclusion

The proposed action would comply with soils and watersheds desired conditions and guidelines for management as described in the Forest Plan for the Kaibab NF. The proposed action would result in minimal direct, indirect, and cumulative effects to soil and watershed resources while benefiting the municipal watershed through remediation of concerns as described under existing conditions.

Public Involvement

Planning for the Elk Ridge Ski Area Permit Issuance Project first began in October 2017. The proposed action was released for a 14-day public scoping period with a letter dated October 17, 2017. A news release went out on October 18, 2017 informing the public about the upcoming request for comments. The Kaibab NF received 12 comment letters during the scoping period.

Several topics of concern were brought up, including opposition to the use of a Categorical Exclusion (CE) to authorize issuance of the ski area permit, the use of water for the ski area, potential expansion of either the seasons of operation with new recreational activities, snow-making or the infrastructure and geographic footprint of the ski area, and effects to the TCP. Comments were considered, as follows, when conducting the environmental analyses for this document and in the tribal consultation process.

The Responsible Official elected to forego use of a CE to authorize issuance of the ski area permit, and instead completed this EA. The use of water is addressed in the proposed action, with a commitment by City of Williams to provide water. This proposed action would not authorize any expansion of either the seasons of operation with new activities or the infrastructure and geographic footprint the ski area, and expansion is not analyzed in this EA. A new environmental analysis, including new public involvement and tribal consultation, would be required for any future expansion proposal. The concerns regarding the TCP are discussed in the following section of this EA, which is titled “Tribal Consultation”.

Agencies and Persons Consulted

Consultation is ongoing with the USFWS regarding MSO and MSO critical habitat, and with the surrounding Tribes regarding issuance of the winter resort permit to the new ski area owners. Consultation with the AZ State Historic Preservation Office has been completed.

Tribal Consultation

On October 17, 2017, Tribes were notified of the Elk Ridge Ski Area Permit Issuance Project signifying the beginning of Tribal consultation. Due to the cultural significance of the mountain and the history of controversy surrounding the Elk Ridge Ski Area, the Kaibab NF is working closely with tribes to provide timely information and consider comments and recommendations from tribes. The Kaibab NF has been responsive to all requests for consultation and additional information regarding the permit transfer. The concerns regarding the TCP are ongoing and warrant continued consultation on the topic.

While the Kaibab NF recognizes that the ski area is considered an ongoing adverse effect to the TCP by tribes, issuance of a permit to ERRI under the same conditions of the previous permit does not represent an additional adverse effect. The Kaibab NF anticipates that ERRI may submit a new MDP for the ski area outlining the company's vision for development of the ski area over the next ten to twenty years. As the MDP is likely to propose new activities and development, the Forest would engage in thorough consultation with tribes and consider any potential new impacts to the TCP at that time. The Tribal Consultation report is available at the Supervisors Office upon request (Lyndon 2019). The following tribes were consulted:

- Havasupai Tribe
- Hopi Tribe
- Hualapai Tribe
- Kaibab Band of Paiute Indians
- Navajo Nation
- Yavapai-Prescott Indian Tribe and,
- Pueblo of Zuni

Interdisciplinary Team

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Victoria Payne	NEPA Planner; Writer/Editor
Micah Kiesow	Soil Scientist and Watershed Specialist
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Natasha Kline	Forest Wildlife Biologist
Mike Lyndon	Tribal Relations Liaison
Margaret Hangan	Forest Archaeologist
Mark Christiano	GIS Specialist

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